

PLANNING COMMITTEE	DATE: 13/03/2017
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	DOLGELLAU

**Number: 8**

**Application Number: C16/1614/99/LL**

**Date Registered: 15/12/2016**

**Application Type: Full - Planning**

**Community: Bangor**

**Ward: Garth**

**Proposal: Change of use of building from nursing home to student accommodation with 31 bedrooms and management facilities**

**Location: Bryn Llifon, Meirion Road, Bangor, LL57 2BY**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

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## 1. Description:

- 1.1 This is an application to change the use of a building into a 31 bedroomed Student Accommodation that, until February 2016, had been a nursing home. The intention is to carry out alterations to the interior of the building in order to provide facilities that are suitable for students, these include:
- "En suite" facilities in the rooms
  - Communal living room, dining room and kitchen
  - Laundry
  - Resident warden flat
  - Three small first floor kitchens
  - External bike store and bins / recycling area
- 1.2 There will be no external alterations.
- 1.3 The site is located in a mixed use area of Upper Bangor, approximately 250m from Bangor University's main building. The BBC's Bryn Meirion Studio is nearby and, opposite, are the University's halls of residence on the far side of College Road. There is a residential area to the north, characterised by detached and semi-detached houses in generous grounds with trees and mature hedges.
- 1.4 A Community and Linguistic Statement was included with the application along with a Planning Support Statement.
- 1.5 The application is submitted to the Planning Committee following a request made by the local member, and three or more items of correspondence were received that are contrary to the officer's recommendation.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.
- 2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act; in making the recommendation the Council has sought to ensure that present needs are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.
- 2.3 **Gwynedd Unitary Development Plan 2009:**

### POLICY A2 – PROTECTING THE SOCIAL, LINGUISTIC AND CULTURAL FABRIC OF COMMUNITIES

Safeguard the social, linguistic or cultural cohesion of communities against significant harm due to the size, scale or location of proposals.

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#### **POLICY B23 - AMENITIES**

Safeguard the amenities of the local neighbourhood by ensuring that proposals conform to a series of criteria aimed at protecting the recognised features and amenities of the local area.

#### **POLICY C1 - LOCATING NEW DEVELOPMENT**

Land within the development boundaries of towns and villages and the developed form of rural villages will be the main focus for new developments. New buildings, structures and ancillary facilities in the countryside will be refused with the exception of a development that is permitted by another policy of the Plan.

#### **POLICY C3 - RE-USING PREVIOUSLY DEVELOPED SITES**

Proposals will be approved that prioritise re-using land and buildings previously developed and located within or around development boundaries, provided that the site or the building and the use are suitable.

#### **POLICY C4 – ADAPTING BUILDINGS FOR RE-USE**

Proposals to adapt buildings for re-use rather than demolition will be approved provided they can conform to specific criteria relating to the suitability of the building, visual considerations, design and the impact on the vitality of neighbouring towns and villages.

#### **POLICY CH3 – NEW HOUSES ON UNALLOCATED SITES WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND URBAN CENTRES**

Approve the construction of houses on appropriate unallocated sites within the development boundaries of the Sub-regional Centre and the Urban Centres.

#### **POLICY CH6 – AFFORDABLE HOUSING ON ALL ALLOCATED SITES IN THE PLAN AREA AND ON SITES THAT BECOME AVAILABLE AND ARE UNALLOCATED WITHIN THE DEVELOPMENT BOUNDARIES OF THE SUB-REGIONAL CENTRE AND THE URBAN CENTRES**

Approve proposals for housing developments on sites allocated for housing or on random sites for five or more units within the development boundaries of the sub-regional centre and the urban centres, which provide an appropriate element of affordable housing.

#### **POLICY CH30 – ACCESS FOR ALL**

Proposals for residential/business/commercial units or buildings/facilities for public use will be refused unless it can be shown that full consideration has been given to the provision of appropriate access for the widest possible range of individuals.

#### **POLICY CH33 - SAFETY ON ROADS AND STREETS**

Development proposals will be approved provided they can conform to specific criteria relating to the vehicular entrance, the standard of the existing roads network and traffic calming measures.

#### **POLICY CH36 - PRIVATE CAR PARKING FACILITIES**

Proposals for new developments, extensions to existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines, and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the proximity of the site to a public car park.

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**POLICY CH39 - FURTHER AND HIGHER EDUCATION DEVELOPMENTS**

Proposals for specific developments on a further or higher education site will be approved provided that specific criteria can be complied with relating to amenity and highway matters and in terms of the character of the area and the accessibility of the site to various modes of transport.

**POLICY CH43 – PROVISION OF OPEN SPACES OF RECREATIONAL VALUE IN NEW HOUSING DEVELOPMENT**

Expect that new housing developments of 10 or more dwellings, in areas where the existing open spaces provision cannot meet the needs of the development, provide suitable open spaces of recreational value as an integral part of the development.

**SUPPLEMENTARY PLANNING GUIDANCE 'HOUSING DEVELOPMENTS AND OPEN SPACES OF RECREATIONAL VALUE'**

**2.4 Gwynedd and Anglesey Joint Local Development Plan. (Composite Version including Matters Arising Changes, January 2017)**

POLICY PCYFF 1: DEVELOPMENT CRITERIA

POLICY PCYFF 2: DESIGN AND PLACE SHAPING

STRATEGIC POLICY PS 15: SETTLEMENT STRATEGY

POLICY TAI 6: PURPOSE-BUILT STUDENT ACCOMMODATION

POLICY TRA 2: PARKING STANDARDS

**2.5 National Policies:**

Planning Policy Wales 2016 (Edition 9)

NCT 12: Design

**3. Relevant Planning History:**

3.1 C99A/0256/11/LL : ALTERATIONS TO THE BUILDING'S FRONT ELEVATION (REVISED PLAN) - Approved 01/07/99

C97A/0231/11/CL : CHANGE OF USE FROM OFFICE AND RECORDING STUDIO WITH AN EXTENSION TO CREATE A NURSING HOME - Approved 11/03/98

**4. Consultations:**

Community/Town Council: Objection - Over development of the site. Similar facilities already exist in the vicinity and this would generate more traffic, noise and disturbance for residents.

Transportation Unit: No objection - recommendation to provide a new pedestrian

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access to the footpath on College Road and cut back the overgrowth at the existing entrance.

Welsh Water: Observations - Standard conditions and observations for the developer.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and correspondence was received objecting on the following grounds:

- Over provision of student accommodation in Bangor
- The parking provision is not sufficient.
- The proposal is an over development of the site.
- Concern regarding highway safety
- This is a residential area and there is concern regarding noise and disturbance

As well as the objections above, objections were received which were not material planning objections and these included:

- The loss of a residential home for the elderly should not be approved when there is constant demand for such facilities
- Bryn Llifon is not within the Favoured Search Areas for Purpose Built Student Accommodation identified in the Joint Local Development Plan
- The internal provision of facilities would not meet student needs
- More housing is needed for local people

One item of correspondence in support of the application was received.

## **5. Assessment of the material planning considerations:**

### **The principle of the development**

- 5.1 The proposal involves the conversion of an existing two storey building into a 31 bedroomed student accommodation. The building, which stands within the City's development boundary, was formerly used as a residential home for the elderly. This site has not been designated for any specific use in the Unitary Development Plan.
- 5.2 Policy C1 of the Unitary Development Plan refers to the location of new developments, and states that land within town and village development boundaries and the developed form of rural villages will be the main focus for new developments. In this case, the proposal involves developing previously developed land within the development boundary of the Bangor city regional centre; and therefore, the proposal conforms with this specific policy. The proposal also complies with policy C3 which approves proposals that re-use previously developed land or buildings which are located within or around development boundaries; and Policy C4,

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which supports plans to alter buildings for re-use providing the purpose is appropriate.

- 5.3 There is no specific policy in the UDP to deal with a development of this type, namely the provision of purpose-built student accommodation in the private sector; and neither the UDP's housing policies (policies CH3 and CH6 specifically) nor policy CH39 (Further and Higher Education Developments) are entirely relevant.
- 5.4 Consequently, there is a need to weigh up material considerations when determining whether or not the principle of the proposed development is acceptable in this particular location.
- 5.5 Looking at the latest available student figures, namely the 2015/2016 figures, it is noted that the University has 9,311 full-time students. Information by Bangor University for 2015/16 states that 700 students have term-time addresses in North Wales outside Bangor (including 201 in the rest of Gwynedd and 22 in Anglesey). However, it must be noted that this data set did not include information for approximately a quarter of all the University's students. This would mean that the number living in North Wales, outside Bangor, could be greater than the figure of 700.
- 5.6 The University has 2,943 built bed-spaces, which includes the recent development at the St. Mary's site (602). In the private sector there are approximately 802 built accommodation units, and 49 are currently being built (137, High Street, Bangor). 133 additional units have received planning permission but are yet to be built (including three permissions through recent appeals - the Three Crowns site for 15 units, the former Railway Institute site for 29 units (47 bed spaces) and the Lôn Pobty site for 18 units and the Varsity site for 15 units), and the planning inspector is currently considering the 145 units on the Former Post Office site. Including this application, this gives a total of 1,160 private units that are either available, have received planning permission or are under consideration.
- 5.7 The Joint Planning Policy Unit is currently updating the information from 2013 on houses in multiple occupation with data from 2016, but there are problems with plotting the information on maps, which means that it is not yet available. The available information has been collected from the Council's Housing Department and Tax Department in September 2013, and these figures are based on the number of houses within different parts of Bangor that have been registered by the Housing Department as an HMO and those that do not pay Council tax. These figures do not refer specifically to the numbers of students living in private houses or houses in multiple occupation, therefore, it is only an indication from the available information.
- 5.8 This information shows that there are 1,012 houses in Bangor that are either in multiple occupation or do not pay Council tax. Since there is a total of 6,597 houses in Bangor, this is equivalent to 15.3% of the housing stock.
- 5.9 The information also shows that around 47 houses in the Garth ward (where the application is located) are either houses in multiple occupation or do not pay Council Tax. Since there is a total of 326 houses in the Garth ward, this is equivalent to 14.4% of the ward's housing stock.
- 5.10 It therefore appears that the student accommodation currently on offer is a mix of purpose-built student accommodation (2,943 university units and 1,150 private units available/approved/under consideration), houses in multiple occupation (an estimate

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of 1,012 houses), and private houses or home addresses in the rest of North Wales (700).

- 5.11 It also appears that there is a shift in the type of accommodation that students are seeking, and that there is an increased demand for purpose-built accommodation. It also appears that houses in multiple occupation will continue to be popular among students in the areas that are most convenient for the University.
- 5.12 It is acknowledged that some people are concerned about the number of purpose-built private accommodation that has been built in the Bangor area, and there is a suggestion that a number of the available rooms are empty. But, from the above figures, it appears that only a comparatively low percentage of the total provision available is supplied by this type of unit at present, and therefore it is not considered that it would be reasonable to refuse the proposal on the grounds of a lack of need for this type of accommodation. It appears that the demand for the different types of accommodation changes from year to year, especially when comparing different times within the same year (e.g. the beginning and end of the academic year).
- 5.13 Providing more purpose-built, formally managed, student accommodation with quality facilities could possibly lead to a more positive impact on the local housing market as houses which are currently in multiple occupation could be released and changed into use by local households in need of such houses (e.g. small units, one-bedroom flats etc.). In order to ensure a satisfactory arrangement for letting the units and to establish a contact point for any amenities problems in future, and to ensure use of the units in accordance with the proposal (i.e. students), it is considered that including a condition to agree on a site management plan would be reasonable. This would include details of issues such as behaviour management policy, parking control and dealing with complaints.
- 5.14 Considering the above discussion it was considered that the principle of the development was acceptable under the policies of the current Unitary Development Plan.
- 5.15 Planning applications must be determined in accordance with the adopted development plan, unless other material planning considerations state otherwise. The current 'Development Plan' is the Gwynedd Unitary Development Plan (2001-2016) and the Joint Local Development Plan for Gwynedd and Anglesey (JLDP) will replace the UDP as the 'development plan' once it has been adopted. It is hoped that the JLDP will be adopted during July 2017.
- 5.16 When dealing with any planning application, the first consideration at all times should be the statutory test i.e. it is necessary to determine planning applications in accordance with the development plan, unless other material considerations state otherwise. The JLDP is now a material planning consideration for the purposes of development control - see paragraph 3.1.3 Planning Policy Wales that states:  
*"Material considerations could include current circumstances, policies in an emerging development plan and planning policies of the Welsh Government. All applications should be considered in relation to up-to-date policies ..."*
- 5.17 Although many policies have been discussed in detail during the Gwynedd and Anglesey Joint Local Development Plan Hearings, we will not know for certain what the contents of the Plan will be until the Inspector submits his binding report.
- 5.18 Paragraph 2.14.1 of Planning Policy Wales states:

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*"...thus in considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, local planning authorities will need to consider carefully the underlying evidence and background to the policies. National planning policy can also be a material consideration in these circumstances."*

- 5.19 In this case, the LDP Policies listed in 2.4 above are material and on the whole are consistent with the policies of the Unitary Development Plan. However, there is some inconsistency between UDP's policy assessment above and Policy TAI 6 of the Joint Local Development Plan and this inconsistency is discussed below.
- 5.20 Policy TAI 6 of the JLDP: Purpose-built Student Accommodation states that proposals for new purpose-built student accommodation in suitable locations will be approved as long as the proposal meets with a series of criteria. Although this proposal meets with the majority of these criteria there are two criteria where there is inconsistency, namely:
- 5.21 *Criterion 1: 'The proposal must include an assessment of the number of additional undergraduate and post-graduate students who are in need of accommodation, and the higher education establishment must support the application.'*  
Considering that this application has been submitted before the Local Development Plan has been adopted, it is considered that it would be unreasonable to ask the applicant to meet this requirement, considering that such information is not required under the current arrangement. The assessment in 5.3 - 5.14 above shows evidence of a need for this kind of development and, as such, it is not believed that undertaking the assessment required by this criterion would have a material effect on determining this application.
- 5.22 On the whole, it is considered that the inconsistencies between the emerging planning policies and the adopted development plan, in terms of the possible impact of the proposed development, are insufficient to justify going against the Unitary Development Plan which supports this type of development in principle, as noted in 5.4 above.

### **Open Spaces**

- 5.23 In accordance with the requirements of the Supplementary Planning Guidance 'Housing Developments and Open Spaces of Recreational Value', there will usually be a need to provide an element of an open play area for Youths and Adults associated with this proposal. In this case, the open play area cannot be provided within the site, however, it is currently reasonable to expect that student accommodation is able to depend upon the University's play provision and its relevant clubs and also that use is made of playing lands and facilities that are already available locally. For this reason, it is considered that the proposal conforms with the requirements of policy CH43 of the UDP and the Supplementary Planning Guidance 'Housing Developments and Open Spaces of Recreational Value' and there is no need to contribute towards additional provision.

### **Linguistic Matters**

- 5.24 Policy A2 of the UDP safeguards the social, linguistic or cultural fabric of communities against significant harm due to the size, scale or location of proposals. Due to the nature of the proposal for permanent living units, a Linguistic and Community Statement was submitted with the proposal. At the time of writing this



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report, the Joint Planning Policy Unit was assessing its contents and the outcomes of that assessment will be reported upon to the Committee. If the JLDP accepts and supports the content, the proposal will be considered to be in accordance with policy A2 of the UDP.

### **General and residential amenities**

- 5.25 Policy B23 of the Unitary Development Plan safeguards the amenities of the local neighbourhood and private amenities by ensuring that proposals must conform to a series of criteria aimed at safeguarding recognised features.
- 5.26 It is important to bear in mind that this building, until February 2016, was used as a residential home for 31 residents. Considering that such usage meant quite a lot of traffic from staff, families and medical support, including night time activity, it is not considered that use by students will be significantly different in terms of the movement of cars or hours of disturbance. In fact, considering the proximity of the building to the university's main buildings, it would be a highly suitable site for students who do not own a private motor vehicle and could perhaps lead to a reduction in traffic on the site.
- 5.27 The property, which is located in this area, has multiple uses, including buildings which provide student accommodation, and it is considered that the proposed use would neither be incompatible with this location nor would it significantly worsen the situation compared with any negative effects resulting from the site when it was a nursing home.
- 5.28 Several objections were received to the proposal which were mainly on the grounds of traffic and disturbance and the alleged over-provision of student accommodation in the city. Nevertheless, in considering the discussion on those elements in other parts of this report, it is not considered that this proposal would have any significantly negative effects on general or residential amenities, especially considering the property's previous use and potential uses that do not require planning permission under the existing C2 Use Class. C2 Use Class includes hospitals, care homes, boarding schools, and training centres and it is possible that use under this class use could lead to much greater disturbance and concern from residents than its use as a regulated student accommodation. There would be no alterations to the building's exterior either and, as such, there would be no visual harm to the neighbourhood. Therefore, it is considered that the proposal complies with the requirements of policy B23 above.
- 5.29 Considering that the site adjoins a residential area, it is considered reasonable to impose a condition on any planning permission for the Local Planning Authority to agree with the owners on a management plan to include the details of any matters such as behaviour management policy, parking control and dealing with complaints.

### **Transport and access matters**

- 5.30 CSS Wales parking standards recommends providing one parking space per 25 student bedrooms, and one parking space for each 10 bedrooms for visitors, a total of 5 parking spaces in this instance. The proposal offers 16 parking spaces and is, therefore, acceptable.

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5.31 The site arrangement plan notes that part of the car park is leased to the BBC and confirmation must be sought that the stated provision does not conflict with this lease. In addition, there is potential for traffic problems to arise at specific times e.g. registration days at the University, but agreement on a site management plan as suggested above would overcome such problems.

5.32 In order to improve pedestrian access, the Transportation Unit suggested that a new pedestrian access should be provided to the footpath along College Road and that the overgrowth on either side of the entrance should also be cut back to improve visibility. The applicant has agreed to these recommendations. It is considered that the proposal complies with all the requirements of policies CH30, CH33 and CH33 of the Unitary Development Plan.

**6. Conclusions:**

6.1 This site is located within the development boundaries of Bangor city as defined in the GUDP, and policy C4 attempts to approve appropriate alternative uses for empty buildings. It is vital to remember, in this case, that the main change to the building's use will be the age of the residents. The intention is to continue to provide managed residential accommodation for 31 residents and it is not considered that this change would have a significant detrimental impact on the amenities of the area or on local residents.

6.2 In light of the above, and having given full consideration to all relevant planning matters including letters of objection and the submitted observations, it is considered that this proposal is acceptable and that it complies with the requirements of local and national policies and guidance.

**7. Recommendation:**

7.1 Approve

Conditions :

1. Time
2. In accordance with the plans
3. The site management plan must be submitted beforehand and agreed with the Local Planning Authority
4. Parking facilities in accordance with the plans
5. The footpath to College Road must be completed before commencement of use

Notes:

1. Highways
2. Welsh Water